TWO CENTS.

SCRANTON, PA., TUESDAY MORNING, MARCH 12, 1901.

TWO CENTS.

# LEGISLATURE **HONORS MAGEE**

Resolutions of Respect Are Passed in Both Senate and House of Representatives.

#### THE ROUTINE BUSINESS

Although the Body Is in Session but a Short Time, Many Bills Are Introduced in Both Branches-The Anticipated Struggle Over the Cooper Resolution Is Averted.

By Escinsive Wire from The Associated Press, Harrisburg, Pa., March 11.--For the second time during the present session there was another vacant chair when

the senate met at 9 o'clock tonight.
The seat of the late Senator C. L. Magce, of Pittsburg, who died on Friday, was draped with mourning. beautiful floral offering relieved the sombreness of the drapery. The senare, on account of Senator Magee's death, was in session only a short time Bills were introduced as follows:

to Mr. Keyser, Philadelphia-Authorising Roll and J. T. Stauffer, both of Philadelphia to bring suits against the commonwealth for sum at may be due them.
By Mr. Birkett, Philadelphia - Exempting sod

rater apparatus and appurtenaces thereto, leased a hand, from levy or sale on execution or dis-

By Mr. Muchibromer, Alleghery-Providing that the numbered and other corporations, or public authorities, owning or having charge of are park or public grounds, thay enter into an agreement with any rollroad company maintaining and operating a railroad within the state, defining and fixing the manner, terms and conditions upon which such park or public grounds. any portion thereof, may be used and occupied add railroad company with its tracks and pas-ger station buildings.

tre Mr. Drary, Luzerne Authorizing parties beneficiable interested in any demand or claim to maintain any suit brought upon said demand without joining as the legal plaintiff the person in whose name the suit ought at common law to

#### Focht's Ballot Bill.

Mr. Focht, of Union, chairman of the committee on elections, reported favorably, as amended, the ballot bill drawn up by himself. Mr. Focht said he will ask that the bill be recommitted as on as it is printed, for the purpose of further amending it. The amend-ments already made to it are unim-

On motion of Mr. Berkelbach, of Philadelphia, the bill abolishing the empowering the courts of Philadelphia to appoint the board of revision of taxes, and the bill providing for tion of the board by the people both of which were introduced by him, were recommitted to the committee on municipal affairs, Mr. Berkelbach made no explanation as to why he wanted the bills recommitted.

The reading of bills a third time wenover until Wednesday, and the senate cleared the calendar of bilis on first rending.

At the request of Senator Flinn, the dean of the Allegheny delegation of the senate, who was unavoidably detained in Pittsburg, Senator Grady, of Philadelphia, announced the death of Senator Magee, Mr. Grady presented a beautiful tribute to the memory of the deceased, and at the conclusion of By Exclusive Wire from The Associated Poss. his remarks he presented a resolution, which was adopted, that the senate and its officers attend the funeral services of the dead senator at Pittsburg. and that the session of the senate fixed for tomorrow be dispensed with.

Senator Muchibronner, of Allegheny, presented a resolution, which was also adopted, that a committee of five senttors be appointed to take into consideration the manner in which the senate will express its sense of loss at the death of Senator Magee, and that special session be held at 3 p. m., March 27, to receive the report of the committee.

After it had been directed that the senate chamber be draped in mourning for thirty days, the senate, as a further mark of respect, adjourned until 4 p. m. Wednesday.

## IN THE HOUSE.

The anticipated struggle in the house over the Cooper resolution deploring the action of the municipal corporations committee in reporting without a hearing the Philadelphia "Ripper" was averted tonight by it adopting an amendment offered by Chairman colville, of Philadelphia, to recommit the bills for a hearing. This action was followed by the adoption of a eschution offered by Mr. Voorbees, of Philadelphia, that the use of the ball of the house be granted the committee

the hearings. Mr. Cooper moved to amend the use of a chamber be granted for Wednesday, March 20, at 8 p. m. and as many evenings thereafter as necessary. The amendment falled by a vote of 46 nyes to 88 nays, after which the resolution was amended to provide that the house shall be notified three days before the hearing, and then adopted, Mr. Colville gave notice that a hearing would be had on Thursday evening at

S o'clock. Previous to this action there was a short debate on the resolution, Mr. Cooper, of Delaware, said it was a graceful backing down of the friends of the bill, who have been beaten in their efforts to railroad them through the house. Every member of the house has received a telegram from the board of trade and allied organizations for a bearing, and the committee should give a fair and impartial hearing to

both sides. Mr. Voorhees said it was unfair on the part of Mr. Cooper to impugn the integrity of the committee by offering his resolution. The people of Philadel-Phia wanted these bills to become laws in spite of the claim of Mr. Cooper the centrary. Chairman Colville said the bills had been fairly considered by the committee, and that there was no desire on the part of himself or his colleagues not to give a full constitutional,

bearing. They are important measures and the committe was willing and anxous that both sides would be heard. Before the adoption of the resolutions Mr. Cooper presented a memorial from eltizens of Philadelphia asking for a hearing on the bills, and requested that it be read.

Speaker Marshall ruled that the memorial would have to go to the municipat corporations committee and could not be read until tomerrow. The bills, with minor amendments,

were then reported from committee by Mr. Voorhees and subsequently ecommitted.

#### Bills Introduced.

These bills were read in place: Mr. Seal of Dauphin introduced a bill repealing the bicycle tax law of April II, 1809, and providing for the refunding of the tax collected

Mr. Schener, of Lackawanna—Appropriating 129,500 to the Lackawanna hospital, Scranton. Mr. Heil, of Northampton—Appropriating 80,000 the Pennsylvania State Fair association at Mr. Stater, Philadelphia-Repealing the act

to exempt sawing machines and typewriting ma-chines, leased or hired, from sale or levy or Mr. Carner, of Scinglill-Prescribing the method of entering the judgment of a court where a judgment of a justice of the peace is reversed on a certificati issued by the defendant and prescribing how defendants' costs shall be entered as a part of the judgment.

#### Tribute to Mr. Magee.

Mr. McClain, of Lancaster, offered the following resolution, which was adopted by a rising vote: Whereas, Our Heavenly Father has seen fit in

his inscrutable wisdom to remove by death the Hon. Christopher Lyman Magee, a member of the coate of the commonwealth of Pennsylvania, and Whereas, During his public and private life he o lived as to gain the love and esteem of all classes of our fellow citizens without regard to party, creed, color or condition, and Whereas, He was known in life as one of the

herefore, be it Resolved. That we deeply sympathize with his cife and immediate relatives and friends, and with the people of this commonwealth, whom he has so well and honorably represented in the different official positions which he has so hon orably filled. Let his life be one which all men should arrive to emulate, so that when the dread ummons come that it may be said of us as of him, that he was free from selfish ambitions, personal resentiment, and was loved by every true man with whom he was thrown in contact, and be it further

Resolved. That a copy of these resolutions by suitably prepared and presented to his beloved and respected wife.

Mr. McClain said the impress of Mr. Magee's citizenship will not fade, nor will the force of his example die with this generation, but it will live on to point the way to a broader charity and a nobler manhood for generations to come.

The prayers of the poor, of the sick, the lame, the blind, are tonight like incense rising to heaven in tribute to his soul.

Mr. Palm, of Crawford, endorsed all that his colleague had said about Mr. Magee.

Mr. Voorhees said the deceased was his personal friend, and that his death was a severe personal loss to him. After clearing the calendar of firs reading bills, the house adjourned until

## **DEMOCRATS FRAME** A BALLOT BILL

10 o'clock tomorrow morning.

A Reform Which Does Away with the Circle on the Official Ballot and Makes Other Radical

## Changes.

Harrisburg, Murch 11 .- A ballet reform bill which does away with the circle on the old-cial ballot and makes other radical changes in the present ballot act was framed for introducion in the legislature at a meeting of the state Democratic executive committee and other comment Democrata today at state headquarers in this city.

By the terms of the bill the presidential else tors will be arranged in groups on the belside of the ballot, much group forming one of ann. At the head of each group will be place he party appellation and surname of the ca lidates for president and vice president. At the right of the name of each elector and of to party name at the top will be a square in which the voter may make a cross so that he can volfor the whole group by making this one mark it the top or a cross after each name.

All other candidates shall have their name grinted under the title of the office for which

they have been nominated and shall be a columns on the right side of the ballot, No established to right side of the ballot.

No established name shall appear more than once on the ballot. At the right of the came of each candidate will be the name of the party or parties by whom he was retoinated. To vote root must be placed after the name of the a cross must be placed after to fame of the candidate for whom the voter desires to vote. No person can have a believ to assist him pre-pers his ballet except he be physically disabled, which shall be apparent to the election heard, or unless he is unable to read the English langauge, to which fact he must make affidavit. No belief can assist more than three voters. Heavy regalties are prescribed for violation of the law. change is to be made in the present system

There were present at the meeting besides the members of the committee National Committee, man James M. Guffey, of Pittsburg, and Con-gressmen Hall, Polk, Green, McAleer and Mutchler. Congressional apportionment was also di-cussed, but no formal action was taken.

filing certificates of nomination, nomination

#### MR. HARRISON'S CONDITION. His Physicians Find No Great Cause

for Alarm: By Exclusive Wice from The Associated Press. Indianapelis, March 11.-Dr. Henry Jameson us been in constant attendance on former Prod

av Harrison and with Dr. E. Hadley has alated in a close watch for the eligitest sign improvement or relapse 7.30 o'clock tonight Dr. Jameson issued

following statement: "I find no great cause for alarm tonight is he condition of General Harrison and atribite a surfit charge fact that he has been laboring with his allment one day longer. His temperature is now 102 4-5, his pulse 25, respiration 35. I think will have no difficulty in going through the night.

## Scalping Law Constitutional.

By Exclusive Wire from The Associated Press. Philadelphia, March 11 ..- The Supreme court today suctained the constitutionality of the ticket scalping law of the state. The case was the appeal of Edward P. Keary, of Pittsburg, from e judgment of the Superior court. Keary concitets at Pittsburg and claimed that the act which prevented a person not connected with the the railreads from selling their tickets was un-

# **BOERS JOIN** THE BRITISH

Many of the Ex-Burghers Are Now Acting in Harmony with Their Former Foes.

#### IN INTEREST OF ORDER

The Former Contestants Join Hands to Protect Their Homes Against Marauders-De Wet Is Moving Northward-Endeavoring Apparently to Cross Railroad Toward Transvaal-13,000 Refugees in British Lines.

By Exclusive Wice from The Associated Press. Bloemfontein, March 11.-General De Wet, it is reported, is moving north-ward steadily, at the rate of twentyfive miles a day, with a view of crossing the railway to the eastward. He should now be west of Kroonstadt Several small commandoes are in possession of the southeastern portion of the Orange River colony, from which the garrisons at Dewetsdorp, Wepener, Smithfield and Ruxville have been withdrawn.

It is impossible not to be struck with the fact that a great proportion nost charitable of men, a true friend and an of the former enemies of Great Britain innormable, capable and faithful public official; in South Africa have frankly thrown in their lot with the British. The Brandfort, Kroonstadt and Bloemfontein burghers are now bearing aims against the Boers. They say their object is not to operate against their former comrades, but to defend their homes and property against maraud-

Every town in the Free State occupied by the British will soon become centre of Eritish Influence extending a long distance in their vicinity. More than 12,000 refugees are within the British lines, and many of them demand arms and permission to take the field. If their requests are granted it will be easy to enroll 2,000 burghers on the British side.

## LUTZ SENTENCED TO BE HANGED

The Pittston Wife Murderer Is Again Convicted on Second Trial. He Accuses Other Parties.

By Exclusive Wire from The Associated Press. vas sentenced to be hanged today by Judge Haisey. The prisoner, when asked if he had anything to say why sentence should not be pronounced, merely shook his head. He seemed dazed. When taken back to jail, he for the first time seemed to realize his position and told the warden it was not all over yet. A strict watch will be kept on him. Lutz was tried twice. At the first trial one of the jurors, after being out fifteen days, said he had been intimidated. He was sick, and in order to get out of the jury com he signed the verdict of murder in the first degree, although it was against his conscience to do so.

On the strength of this a new trial was granted the prisoner. The second time he was promptly found guilty in the first degree. An attempt was made to secure a third trial, but without

## **BOTHA IS WILLING** TO SURRENDER

He Has Asked an Armistice in Order to Communicate with De Wet and Steyn.

By Exclusive Wire from The Associated Press. Lorenzo Marquez, March 11.-General Botha is willing to surrender. He asked an armistice in order to communicate with General De Wet and Mr. Stevn. Should they decline, it is believed nevertheless that General Botha will surrender.

The Boers have no artillery or ammunition and are burying all their

The railway from Lorenzo Marquez to Pretoria is practically clear of

#### TO PRESERVE BALKAN PEACE. Report That Russia and Turkey

Have Reached an Understanding. By Exclusive Wire from The Associated Press.

Constantinople, March 11.-The official newspaper Ikdam announces that Turkey and Russia have come to a complete understanding for the preservation of peace in the Balkans.

## Governor's Right of Veto.

By Exclusive Wire from The Associated Press. Philadelphia, March 11.--In the Supreme ourt today argument was heard on the coustitutional right of the governor to veto a portion of the public school appropriation re-ducing the same from \$11,000,000 to \$10,000,000, which was done by the act of May 15, 1800. Attorneys Grey, of Centre county, and C. Tyson Kratz, of Montgomers county, appeared for the appellants, and Attorney General Eikin represented the commonwealth. Decision was in-

## Nation Jury Disagreed.

By Exclusive Wire from The Associated Press. Wichita, Kan., March 11.-No verdict was re-ported by the jury which last week heard evilence in the trial of Mrs. Carrie Nation for mushing a "joint" here several weeks ago. The jury stood seven to five for conviction and was discharged today.

#### ADVANCE TO BE CONTINUED. Berwind-White Coal Mining Company Notify Men.

Exclusive Wire from The Associated Press,

Pittsburg, Pa., March 11.-Private advices to Pittsburg announce posting of notices late this evening by the Berwind-White Coal Mining company at Windber, Osceola, Mills, Horatlo and other points in the Central Pennsylvania mining field, as follows The average advance of 20 per cent, in wages given our employes, April L 1:00, will be con-tinued until April 1, 1:00;

(Signed) Berwind-White Coal Mining Co. This notice affects about ten thouand men, all told, and is of the utmost Importance in Central Pennsylvania mining operations. About 7,000 of this umber of the men are employed at the mines at Windber. The action of the company continues in effect the highest rate of wages ever paid in the

Central Pennsylvania field. The Berwind-White Coal Mining company is one of the largest corporations in that field, and the miners whom the company employ steadily, owing to the fact that the company makes tide-water shipments almost exclusively, and owing, further, to the fact of the total absence of any labor disturbances in connection with the operations of the company.

#### ICE MOVING IN THE SUSQUEHANNA

The Heaviest Crop That Has Formed on the River Since the Year 1875.

Exclusive Wire from The Associated Press. Lancaster, Pa., March 11.-The ice as begun to move off the Susquehanna at Columbia. There is a channel about hundred feet wide along this side, ut along the Wrightsville shore the ice is still intact. Between Columbia and Harrisburg the river is filled with loating ice, but it is thought that it is not heavy enough to do any serious damage. At Marietta the condition is ifferent and grave apprehension is cit. The water is steadily rising. The eiver is not yet bank full, but what is ausing the most anxiety is the fear that the ice may give away before there is a sufficient quantity of water to carry it oil safely and that disastrons gorges will follow. Not since 1875, and probably not even then, has there been such heavy ice upon the river at this point. Immediately in front of the town the river is clear of ice on this side, but on the York county side it is yet intact and it is feared that when the ice just above the town reaks Front street wat be flooded. The ce varies in thickness from twelve to wenty inches, and in many places fee from above has lodged underneath to a depth of ten feet.

Late this afternoon a gorge formed in the Neck, a narrow channel in the river just above McCall's ferry, Tolight at Safe Harbor, where the Cones-Wilkes-Barre, Pa., March 11.-John toga empties, the water is rising at Lutz, the West Pittston wife murderer, the rate of a foot an hour, and it seems impossible that the law lying portions of the town should escap-

thood ing. York, Pa., March 11,-A break-up of the ice on the Susquehanna occurred this morning, and a general movement of the ice commenced at Wrightsville. Reports from various points are to the effect that the ice was moving off quickly. There has been but a slight rise, and no damage is feared unless a By Exclusive Wire from The Associated Press. gorge forms at McCall's ferry, eighteen miles below Wrightsville.

## LOG JAM NEAR CLEARFIELD.

Uneasiness Along the West Branch

of the Susquehanna River. By Exclusive Wire from The Associated Press, Clearfield, Pa., March 11.-Thousands of logs are jammed in the west branch of the Susquehanna river near Curwensville, six miles above here, and causing much uneasiness in Clearfield. The ice from above has lodged there Ofteen feet high and is holding back tremendous amount of water. Old umbermen says that if this mass breaks not a single bridge will be left standing. All the rafts from up the river are held above. An effort will be made to work a channel through with dynamite,

Several farms have been practically ruined by the heavy rush of water. There is still two feet of snow in the woods.

#### LARGE ANNUITY FOR EDWARD. Significant Remark by the British

Chancellor of Exchequer. Enclusive Wire from The Associated Press. London, March 11.-In the house of ommons today Sir Michael Hicks-

Beach, chancellor of the exchequer, when moving the appointment of a select committee to consider the new civil list, conveyed a hint that an increase in the civil list might be ex-

He said that while the government's proposals would be based on the late Queen Victoria's civil list, it must be remembered that King Edward had queen consort and that he was not only king of the United Kingdom, but the head of a world-wide empire,

## STRIKERS RETURN.

Five Hundred Men Again at Work at Hickory Swamp Colliery.

By Exclusive Wire from The Associated Press. Shamokin, Pa., March 11 .- The strike of 50 men at the Hickory Swamp colliery, operated by the Union Coal company, ended today by the coupleyes returning to work. All non-union men ined the Mine Workers' union At all collieries of the Union Coal company i

the Ninth district, notices were posted an-nouncing that the 10 per cent, increase granted in November last, would be continued until April 1, 1902. The miners say that they will ask the Hazleton convention to insist on the company granting at least a 6 per cent. increase

## Oleomargarine Law Sustained.

By Exclusive Wire from The Associated Press. Philadelphia, March 11.—The Suprems court edgy instained the constitutionality of the also sargarine law of May, Isidi. The case came be ore the court on the appeal of McCann & Co., Pittsburg, from the decisions of the Pittses common place court and the Superior court,

# LAUNDRY IS **BLOWN UP**

Eight Persons Are Instantly Killed by the Explosion of a Boiler at Ghicago.

# PROPERTY LOSS IS GREAT

No Cause Has Yet Been Discovered for Chicago Disaster-Search for Dead Bodies Comes to an Abrupt Ending, Because of a Dispute Between Firemen and Police.

y Exclusive Wire from The Associated Press. Chicago, March 11 .- By the explosion of a boiler in the Doremus laundry, 453 West Madison street, this morning, eight people were instantly killed and several are missing. The list of fatalities is as follows: Frank Hannelin, Martha Jacobi, Bessie Kusaba, Kate Voss, Catherine Kelly, George Piehl, Emma Sabruski, Min-

nic Olsen.
Other bodies are believed to be in

the ruins. The cause of the explosion has not been determined with accuracy as yet, and it will probably require an official investigation to settle the matter. Pending the verdict of the coroner's jury A. L. Doremus, the proprietor of the laundry, is held in cus-

ody by the police. The search for bodies came to a sudden end carly in the afternoon and the work of rescue was entirely abandoned, because of a dispute between the firemen and police as to who was responsible for the recovery of the podies which might be concealed beneath the debris. The firemen said they had performed their whole duty, and retired from the scene. The police said it was not their work to dig for bodies, and nobody else volunteered to do the work.

While the firemen and police were fighting and explaining their respective sides. Building Inspector Kielbassa ent a deputy to the scene of the catasrophe and notice was sent to Jackson Bros., agents for the property, to im-mediately begin the work of pulling down the walls and clearing away the debris. Jackson Bros, were given two hours to comply with the order. The real estate firm soon had a number of wreckers at the ruins, and the work of pulling down the walls was immediately begun. This operation made it impossible to continue the search for bodies, but the work may be resumed

## TESTIMONIAL TO THE LATE SENATOR MAGEE

A Minute Adopted by the Officers of the Pennsylvania State League of Republican Clubs.

Philadelphia, March 11.-The officers of the Pennsylvania State League of Republican clubs, in session today,

adopted the following minute: "In the death of the Hon Christopher L. Magee, of Pittsburg, the State League of Republican clubs loses a warm and devoted member. Mr. Magee was one of those men in politics who stood fearlessly for that which he believed to be to the best interests of the party, and that which he held to be right. He was broad and generous in his treatment of those whom he came in contact, and there was nothing in his composition which manifested itself in petty revenge. He was a broad-viewed Republican, concerning whom even those who opposed him in politics have naught but the good to say."

It was further resolved that this expression of regret for Mr. Magee be forwarded to his widow as a mark of the league's affection for the man.

## GOVERNOR'S APPOINTMENTS.

By Exclusive Wire from The Associated Press, Harrisburg, Pa., March 11 .- The governor sent to the senate tonight the name of S. D. Foley to be alderman for the Third ward of Bradford, or C. C. Denokue, deceased, to serve until the first Monday of May, 1901. The nomination was

confirmed. The governor also sent to the senate the names of the following gentlemen to be trustees of the State Hospital for the Insane at Danville, for the State Hospital for the means at Danville, for the term of three years: James Scarlet, Danville; William K. Holloway, Danville; Fountain W. Crider, Bellefonie; B. H. Detweller, Williams-port; Olin F. Harvey, Wilkes-Harre; Howard Lyon, Williamsport; Monroe H. Kulp, Shamokin; Charles Chalfant, Danville; W. L. Gouger, Dan-

#### Bryan Visits New York. By Exclusive Wire from The Associated Press.

New York, March 11 .- William J. Bryan, Democcatic candidate for the presidency at the last national election, accompanied by Dr. J. H. Gledner and Congressman Sulzer, called on Mayor Van Wyck at the mayor's office in the city hall Mr. Bryan said his visit was a personal one and that he did not talk polities with Mr. Van Wyck.

#### Thieves Wreck a Bank. Special to the Scranton Tribune.

Holidayaburg, Pa., March 11.-The Bellwood Deposit bank, at Bellwood, this county, was en-tered by thieves last night. The safe was wrecked by dynamite. The shock of the explosion broke if the plate glass in the block in which the bank is located. The thieves escaped with about \$500 in currency. The building was damaged to the gatest of about one thousand dollars.

## Dinner Postponed.

By Exclusive Wire from The Associated Press. Harrisburg, March 11 .- Governor Stone left at I o'clock for Pittalorg to attend the funeral of Senafor C. L. Magee. Owing to the govern-or's absence the dimer to have been given to the Superior court temorrow evening at the executive mansion has been postponed until

## THE NEWS THIS MORNING.

Weather Indications Today.

FAIR; COLDER.

General-State Legislature Honors Magee. England Rejects the Amended Hay-Pauncefote

England Rejects
Treaty.
Ex-Burghers Aiding the British in Africa.
Fatal Explosion in a Chicago Laundry.

General-Carbondale Department.

Local-New Trial Ordered in the Duffin Case, President Gibbons' Appointments

6 Editorial. Note and Comment.

Local-Dramatic Soleide of Charles Koons, Democrats Looking for Mayoralty Candidate

Local-West Scranton and Suburban General-Northeastern Pennsylvania

Financial and Commercial

Local-Message of Burgess Burschell, of Dun-Live News of the Industrial World.

# **COLLAPSE OF THE** INSURRECTION

General MacArthur Reports the Surrender of One of the Most Obstinate Territories in the Philippines.

ly Exclusive Wite from The Associated Press. Washington, March 11.-The following cablegram has been received from General MacArthur at Manila:

'General Marian De Dies, four offiers, 57 men, uniformed and armed, surrendered at Naic. This is regarded is very important, and indicating collapse of the insurrection, the territory heretofore obstinately defended. Conditions throughout the entire archipelago very encouraging-captures. surrenders of arms continue-3,168 arms surrendered and captured since January 1st.

#### (Signed) "MacArthur," CONGER LEAVES PEKIN.

The United States Minister Will Enter Upon His Sixty Days Vacation-Mr. Rockhill in Charge.

by Exclusive Wire from The Associated Press, Washington, March II.-A cablegram eccived at the state department lay announced the departure of Minster Conger from Pekin this morning en route to the United States. sixty days' leave of absence will begin when he reaches San Francisco,

Mr. Conger's message was as follows: Pekin, March 11. I leave Pekin today for America. Rockhill

it in charge. (Signed) Conge Thus it appears clearly that Mr Rockhill is not in any sense a sucessor to Mr. Conger as United States minister at Pekin at this time, but simply a special commissioner, limited in his functions to the negotiations with the Chinese government and the other ministers for a settlement of the troubles growing out of the Boxer up-

#### rising. THE INJUNCTION ISSUED.

Supreme Court Reverses Lower Court in Case of O'Malley vs. Olyphant. The Supreme court in an opinion handed down yesterday, in the case of C. P. O'Malley versus Borough of Olyphant, reversed the lower court. At torney C. P. O'Malley, of this city, who is a taxpayer in Olyphant, petitioned court for an injunction restraining the authorities of the borough from pay-

ing any money to Flanaghan & O'Horo. sewer contractors. He contended that the contract providing for the saddling of part of the cost of construction of the sewer on the borough was illegal, as the latter's indebtedness had already exceeded the limit fixed by law. The lower court refused to grant the injunction, and

the case was appealed. The Supreme court decrees that an injunction be issued by the court below restraining the burgess, town council and treasurer of the borough from issuing any warrants and making any payments to Flanaghan & O'Boro, or their assignees, for or on count of the construction of the sewer in question. The costs are

equally divided between the borough and Flanaghan & O'Horo. In the construction of a sewer in the First Sewer district of the borough of British side of the case is presented. Olyphant, O'Malley's common pleas appeal, a case which was a side issue pears, however, to be the chief ob-

#### court is affirmed. EARLY MORNING FIRE.

B. Atlas' Store, on Market Street, Completely Gutted.

Fire early this morning destroyed the groce tore of B. Atlas at 117 West Market street. 2.30 o'clock the flames were still raging. The fire broke out about 1.30 o'clock and an alarm was sent in from box 71, at Market street and North Main avenue. North Scranton companies responded and

found the building, a large two-story structure, was already wrapped in flame. After an hour's work the firemen still had the blaze confined o the building and practically under control. By that time the interior was, however, com-pletely gutted and the entire stock was ruined, and the two-story frame building next door threatened. The building was owned by the Oc-terhout estate, and the total loss to stock and structure will amount to several thousand dol-lars. The origin of the fire is not known.

#### PHILADELPHIA WALKING RACE.

By Exclusive Wire from The Associated Press. Philadelphia, March 11 .- Most of the contest ants in the six-day go-as-you-please walking race, which began at 12.30 o'clock this morning, were

good condition at midnight, and much ground

has been covered. A fair sized crowd was in attendance during the day and night. Martin Horan, George Martin, James Graham and Peter Golden retired, the former on account of a sprained ankle. At 11 o'clock the score of the first ten men was as follows: Hegeleman, 114-11; Hart, 112; Givck, 111-3; Howarth, 110-2; Dean, 110; Cavanaugh, 107-4; Barnes, 98-7; Clif-ford, 80-15; McTage, 77-6; Tracy, 77-9.

# THE TREATY REJECTED

England is Unable to Accept the Senate Changes in the Hau-Pauncefote Gonvention.

## CANAL BUSINESS CLOSED

The British Government Expresses Regret That the United States Has Taken Such Course, but Offers No Alternative-Secretary Hay Notifies the President-It Is Believed That the Instructions Have Been in the Hands of Lord Pauncefote for Several Days.

By Exclusive Wire from The Associated Press. Washington, March 11 .- Lord Pauncefote today submitted to Secretary Hay his instructions from Lord Lansdowne respecting the Hay-Pauncefote treaty. The document practically closes negotiations with Great Britain on the subject of the Nicaraguan canal. The British government says it cannot acopt the senate amendments to the treaty, and expresses regret that the United States has taken that course. No alternative, however, is offered. Secretary Hay immediately took the British note to the president.

It is believed the instructions have been in the possession of Lord Pauncefote for several days, and that Secretary Hay had acquired a general knowledge of their character. The ambassador came to the state department today by appointment. He and the secretary were closeted for half an hour. At the conclusion of the conference the substance of the instructions vere made public, as above, and it was idded that if there is to be any further attempt to amend the Clayton-Bulwer treaty, so as to authorize the United States to construct a waterway across the isthmus, then it is for the United States to make the overture. The British government drops the matter at this point. The impression prevails that there will be no immediate action

looking toward the negotiation of a new treaty. No opportunity was offered this afternoon for a conference between the president and Secretary Hay respecting the British answer, therefore it cannot be stated what action, if any, will be taken by our government. It is stated that there is no hurry, even in the event that it shall be decided to invite Great Britain to join in fresh congress not being in session to con-

sider a treaty if one should be framed.

that there will be no further negotia-

The belief seems to be warranted

tions on the subject in the immediate future, unless some event not now foreseen by the officials causes a radical change in the situation. For the present the text of the British answer will be withheld from publication on this side of the water at least, though it is said that after the president has thoroughly considered

the matter, some general statement may be made as to the points developed.

The Reply Is Friendly. The British answer is quite long, as such documents go, and would make about two newspaper columns. The tone of the reply is distinctly friendly throughout, particularly so in the concluding assurances of good will and a desire to co-operate in the realization of this undertaking. Although the text is withheld, it is understood that the answer takes up each of the three amendments made by the senate and presents the difficulties in the way of assenting to them. As to the amendment which struck out all that clause of the treaty inviting other maritime nations to concur in the neutralizing of the canal, the British view is that while the United States and Great Britain can bind themselves by treaty to neutralize the canal, they cannot make this action binding on all other governments, unless these govern-

ments concur. As to the entire abrogation of the Clayton-Bulwer treaty, as provided by one of the senate amendments, it appears to be the British view that such a step is too far reaching to be taken without some negotiation in which the The so-called Davis amendment apto the other, the judgment of the lower stacle in the way of an agreement, and while the British areswer makes no suggestion of any further negotiation, it seems to be a fair inference from its general tenor that if a modification of this amendment could be secured, there probably could be an adjustment on the other points of the treaty.

The heading also makes plain that while it does not make counter propositions, or propose further action, yet it does not preclude such action by laying down a course which will be adhered to without the slightest diver-

On the contrary the answer takes the form of an agreement tending to show that the amendments proposed by the senate do not fairly consider the various British interests involved. and that for that reason they cannot be accepted in the ferm presented, There is nothing peremptory in the tone of the answer.

The Hay-Pauncefote negotiations

have been in progress something over

two years, and owing to the great in-

terests involved they have constituted

the chief international question at is-

WEATHER FORECAST.

#### sue before the state department. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Washington, March 11.-Forecast for Twisday and Wednesday; For eastern Pennsylvaria, fair and somewhat colder Tuesday; brink to high northwesterly winds diminishing. Wednesday tair.